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Attorneys for Plaintiff Board of Trustees of the Southern

Nevada and California Glaziers, Fabricators, Painters

and Floorcoverers Pension Trust Fund

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * * * *

BOARD OF TRUSTEES OF THE
SOUTHERN NEVADA AND CALIFORNIA
GLAZIERS, FABRICATORS, PAINTERS
AND FLOORCOVERERS PENSION
TRUST FUND,

Plaintiff,

vs.

SPECTRUM CONSTRUCTION GROUP,
INC., a California corporation; AMERICAN
CONTRACTORS INDEMNITY
COMPANY, a California corporation; JOHN
DOES I-XX, inclusive; and ROE ENTITIES
I-XX, inclusive,

Defendants.

CASE NO.: 2:24-cv-00566-RFB-BNW

**STIPULATION AND ORDER TO
DISMISS CASE WITHOUT
PREJUDICE**

Date: N/A

Time: N/A

The Plaintiff, the Board of Trustees of the Southern Nevada and California Glaziers, Fabricators, Painters and Floorcoverers Pension Trust Fund ("Plaintiff"), acting by and through its attorneys, Christensen James & Martin, Chtd., and Defendant American Contractors Indemnity Company ("ACIC"), acting by and through its attorneys, The Faux Law Group, respectfully submit this Stipulation and Order to Dismiss Case without Prejudice.

WHEREAS, Plaintiff filed the Complaint on March 22, 2024 [ECF No. 1].

CHRISTENSEN JAMES & MARTIN, CHTD.
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1 WHEREAS, Defendant ACIC filed its Answer to Plaintiff's Complaint on April 29,
2 2024 [ECF No. 7].

3 WHEREAS, the Court entered a Minute Order on June 27, 2024, in which it stayed
4 this Case until September 23, 2024, and required the Parties represented by counsel to file a
5 Status Report by August 8, 2024 [ECF No. 12].

6 WHEREAS, Plaintiff and ACIC hereby stipulate and agree, pursuant to Fed. R. Civ.
7 P. 41(a)(1)(A)(ii), that the above-captioned Case shall be dismissed without prejudice, with
8 each party to bear its own attorney's fees and costs, except that ACIC does not waive its
9 indemnity rights against Spectrum Construction Group, Inc.

10 WHEREAS, Fed. R. Civ. P. 41(a)(1)(A)(ii) requires that a stipulation of dismissal be
11 signed by all parties who have appeared.

12 WHEREAS, no other party has appeared in this Case¹.

13 THEREFORE, the Parties hereby respectfully request that the above-captioned Case
14 be dismissed without prejudice, with each party to bear its own attorney's fees and costs,

15 ///

16 ///

25 _____
26 ¹ The Court entered a Minute Order [ECF No. 12] in which it denied the Stipulation to Stay
27 Case [ECF No. 11], as Defendant Spectrum Construction Group, Inc. failed to appear
28 through licensed counsel.

except that ACIC does not waive its indemnity rights against Spectrum Construction Group, Inc.

CHRISTENSEN JAMES & MARTIN, CHTD.

THE FAUX LAW GROUP

By: /s/ Kevin B. Archibald

By: /s/ Willi H. Siepmann

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Attorneys for Plaintiff Board of Trustees

Attorneys for American Contractors

of the Southern Nevada and California

Indemnity Company

Glaziers, Fabricators, Painters and

Floorcoverers Pension Trust Fund

DATED this 8th day of August, 2024.

DATED this 8th day of August, 2024.

ORDER

Based upon the Stipulation of the Parties, the Court having reviewed all pleadings and papers on file herein and good cause appearing:

IT IS HEREBY ORDERED that this Case shall be dismissed without prejudice. Plaintiff and Defendants will each bear their own fees and costs. ACIC has not waived its indemnity rights against Spectrum Construction Group, Inc.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: August 9, 2024

RE: Bd. of Trustees of the So. NV & CA Glaziers Pension Trust Fund v. Spectrum Construction Group, Inc. & ACIC (2:24-cv-00566) - Stipulation to Stay Lawsuit

Willi Siepmann <wsiepmann@fauxlaw.com>

Thu 8/8/2024 9:26 AM

To: Kevin Archibald <kba@cjmlv.com>

Kevin, the client has approved the revised stipulation and order. You can use my electronic signature.

Willi Siepmann
Attorney



Nevada · Idaho · Utah ·

Wyoming

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From: Kevin Archibald <kba@cjmlv.com>

Sent: Wednesday, August 7, 2024 9:32 AM

To: Willi Siepmann <wsiepmann@fauxlaw.com>

Subject: Re: Bd. of Trustees of the So. NV & CA Glaziers Pension Trust Fund v. Spectrum Construction Group, Inc. & ACIC (2:24-cv-00566) - Stipulation to Stay Lawsuit

Understood. I will wait to hear back from you before filing.

--

Kevin B. Archibald, Esq.

Christensen James & Martin, Chtd.

7440 W. Sahara Ave.

Las Vegas, NV 89117

Tel: (702) 255-1718

CERTIFICATE OF SERVICE

I am an employee of Christensen James & Martin. On the date of filing of the foregoing papers with the Clerk of Court, I caused a true and correct copy to be served in the following manner:

☒ **ELECTRONIC SERVICE:** Pursuant to Local Rule LR IC 4-1 of the United States District Court for the District of Nevada, the above-referenced document was electronically filed and served on all appearing parties through the Notice of Electronic Filing automatically generated by the Court.

☒ **UNITED STATES MAIL:** By depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address:

Spectrum Construction Group, Inc.
Attn: Bisher Aljazzar, President
14252 Culver Dr. #356
Irvine, CA 92604

☐ **OVERNIGHT COURIER:** By depositing a true and correct copy of the above-referenced document for overnight delivery via a nationally-recognized courier, addressed to the parties listed below at their last-known mailing address:

☒ **ELECTRONIC MAIL:** By emailing a true and correct copy of the above-referenced document to the parties listed below which was incorporated by reference and made final in the w at their last-known mailing address:

Spectrum Construction Group, Inc.
Attn: Bisher Aljazzar, President
Email: baljazzar@spectrumcgi.com

☐ **FACSIMILE:** By sending the above-referenced document via facsimile to those persons listed on the attached service list at the facsimile numbers set forth thereon.

/s/ Natalie Saville
Natalie Saville